

# **BY-LAWS OF THE KANSAS HISPANIC & LATINO AMERICAN AFFAIRS COMMISSION**

## **ARTICLE I NAME**

Section 1. Name. The name of this organizations, established by K.S.A. 74-6501(a) shall be the Kansas Hispanic & Latino American Affairs Commission.

The term "Commission" in the following sections shall mean the Kansas Hispanic & Latino American Affairs Commission.

The term "KHLAAC" shall mean the Kansas Hispanic & Latino American Affairs Commission.

## **ARTICLE II PURPOSE**

Section 1. By-laws. The purpose of these by-laws is to establish rules for the internal organization of the commission and for procedures of operation.

Section 2. Commission. K.S.A. 74-6501 establishes the commission shall be advisory to the governor and shall be within the office of the governor and a part thereof.

The functions, powers, and duties of the commission are as authorized by the statues establishing the commission. Actions of the commission are in the nature of recommendations only and are subject to approval of the governor. The commission, however, adopts its own rules and policies for procedures consistent with its powers.

## **ARTICLE III ORGANIZATION**

Section 1. Membership. Membership of the commission shall be as established by K.S.A. 74-6502; which specifies the number, method of appointment, and term of office of the commissioners.

The members of the commission (a) shall consist of seven members. No more than four members shall be of the same political party. Subject to the provisions of K.S.A. 75-4315c, and amendments thereto, each congressional district in the state shall be represented on the commission by at least one member who is a resident of the district at the time of appointment and the remainder shall represent the state at large. Commission members shall be appointed by the governor. A person appointed to fill a vacancy, which occurs prior to the expiration of a term, shall be appointed for the unexpired term. Except, as provided by subsection (b), each member of the commission shall be appointed for a three-year term. (b) Members shall be appointed for terms of three years and until a successor is appointed and qualified. (c) Nothing in this subsection shall be construed as prohibiting the reappointment of members who had been appointed prior to the effective date of K.S.A. 74-6502.

In the event of a vacancy on the KHLAAC membership board, the membership and executive director shall attempt to determine an appropriate individual to nominate to the governor to fill the vacancy. Nominations shall be sent to the director of appointments, by the executive director, for consideration by the governor.

Members of KHLAAC who wish to resign their position should submit a letter of resignation to the governor, with a copy to the chairperson and the executive director.

Section 2. Officers. The officers of the commission shall be a chairperson, a vice-chairperson, and a secretary. The officers shall be elected by the commission at its regular meeting in October of each year. Their term of office shall be one (1) year. No person may serve in the same office for more than two (3) consecutive full terms.

Section 3. Chairperson. The chairperson shall preside at all meetings of the commission. He/she shall perform all the duties assigned to the office as provided herein. His/her duties shall include, but are not limited to the following:

(a) Review recommendations made by the commission and forward proposals and evaluations to the executive director for submission to the governor, legislature, and various state agencies.

- (b) Assist the executive director with the orientation of new members to KHLAAC
- (c) Assist the executive director in the production of annual reports or other record keeping and reporting initiatives.

Section 4. Vice-Chairperson. The vice-chairperson shall act as chairperson in the absence of the chairperson. In the event that the office of the chairperson becomes vacant, the vice-chairperson shall succeed to that office for the unexpired term and the commission shall select a new vice-chairperson for the unexpired term.

Section 5. Secretary. The secretary shall assist the executive director and chair person in the preparation of the agenda and the order of business for each regular meeting. The secretary shall oversee the recording of, and sign, the minutes of all meetings and shall ensure copies are received by all members of the commission and the executive director.

Section 6. Committees. At the discretion of the chairperson of the commission, committees may be appointed as necessary.

Section 7. Attendance:

- (a) Commission members will be considered in attendance at meetings if present in person, by phone, teleconference, or other electronic media that allows two-way, interactive communication.
- (b) Any KHLAAC commissioner who is absent for three (3) consecutive meetings or for 50% of such meetings during a fiscal calendar year without approved prior notification to the Chair shall be deemed to have resigned from the Commission, effective immediately.
- (c) Any KHLAAC commissioner who is unable to attend in person can participate as part of the Kansas Open Meetings Act, but are considered absent, and cannot vote in KHLAAC business.
- (d) One conference via electronic media may count toward one attendance for a regular meeting.

Section 8. Responsibilities. Appointed KHLAAC commissioners shall:

- (a) Attend at least four (4) KHLAAC meetings annually;
- (b) Participate in hearings called by KHLAAC;
- (c) Represent KHLAAC as requested by public invitation;
- (d) Assist in the performance of the duties and responsibilities of KHLAAC;

(e) Communicate, collaborate, and be committed to the work of the commission and executive director.

- Section 9. Removal with cause. If a commissioner is unable to perform the duties of KHLAAC, the commission may recommend the commissioner for removal with cause upon resolution adopted by KHLAAC by quorum vote. Due process, including written notice and an opportunity to be heard, shall be observed in accordance with departmental and state commission procedures.
- Section 10. In the event that there is no chairperson or vice-chairperson, a special election shall occur to select an acting chair and vice-chair, who will serve the remainder of the term until the next regular election.
- Section 11. All KHLAAC commissioners shall file their Tax Clearance (both personal and business of which you have ownership in), Oath of Office, Resume, Confidentiality Report, and Substantial Interests paperwork with 30 days of being appointed to the KHLAAC Board.

#### **ARTICLE IV MEETINGS**

- Section 1. Regular meetings. In accordance with K.S.A. 74-6505, the commission shall meet at least four times a year. The chairperson may call additional meetings as necessary to carry out the functions of the commission. A regular meeting of the commission shall be held on the fourth Thursday of the month in: October, January, April and July. These meetings shall be held at such time and place as designated by a majority of the commission and with a minimum of five (5) business days to notify each commissioner and the executive director.
- Section 2. Quorum. In accordance with K.S.A. 74-6505, a majority of members shall constitute a quorum.
- Section 3. Agenda. Agendas for all regular meetings shall be available at the KHLAAC office at least three (3) business days prior to the meetings.
- Section 4. Special meetings. Special meetings may be called by the chairperson and shall be called by the chairperson if requested by a majority of members of the commission. Notice of special meetings shall be given by the secretary to the membership and executive director, and in accordance with KOMA, not less than five (5) business days prior to the meeting. The notice shall

state the purpose, time, and place of the meeting. Notice may be by mail, telephone or email.

## **ARTICLE V**

### **CONDUCT OF MEETINGS**

Section 1. Parliamentary authority. Meetings shall be conducted according to Robert's Rules of Order Newly Revised edition in all cases where they are applicable, and not inconsistent with these by-laws or state statute.

Section 2. Order of business. The secretary will prepare the agenda.

The order of business shall include:

- (a) Call to order
- (b) Roll call
- (c) Establish a quorum
- (d) Introduction of guest, participants, and audience members
- (e) Review and approval of agenda
- (f) Approval of minutes
- (g) Staff and committee reports
- (h) Old business
- (i) New business
- (j) Executive session
- (k) Announcements/ Public comments
- (l) Adjournment

Any matter or subject not appearing on the agenda shall also be considered if a majority of the commission members vote for consideration. Approval of consideration shall be based on finding that a review or presentation would be in the best interest of the general public and not contrary to the provisions of public notice. No item will be considered unless sufficient data and information are available for consideration before a vote is taken.

Section 3. Continuance. Any item may be continued upon written request by the applicant or recommendation of the commission.

Section 4. Appearance before commission. Petitioners or their representatives, members of the community at large, or individuals or their representatives who feel that they will be affected by any action may appear before the commission to present views and statements either for or against agenda items. Personal appearance before the commission is recommended but

written communication may be presented. The chairperson may, at his/her discretion, limit the length of presentation or discussion to insure the orderly conduct of commission business, provided that the decision of the chairperson may be overridden by a majority of the commission present.

- Section 5. Motions. Motions before the commission shall be restated by the chair or a designated commissioner or staff person before a vote is taken. Every motion on a substantive matter shall set forth reasons.
- Section 6. Voting. Voting shall be by individual voice ballot on each item and shall be tallied and recorded into the minutes of the meeting by the secretary.
- Section 7. Abstention. Each commissioner should vote on every issue, but a commissioner may abstain. No member of the commission should vote on an issue in which the member has direct personal or pecuniary interest not common to the other members of the commission.
- Section 8. Record of proceedings. The secretary shall record the minutes of each meeting as a matter of public record and shall present such minutes to the commission for approval.

## **ARTICLE VI**

### **FINANCIAL**

- Section 1. Allowances. Members of KHLAAC, attending a meeting or authorized function of the commission, shall receive compensation in accordance with K.S.A. 74-6506 and K.S.A. 75-3223 (e) and amendments thereto.

## **ARTICLE VII**

### **AMENDMENTS**

- Section 1. These by-laws may be amended by a majority vote of the commission at any regular meeting, provided the members have been notified one (1) month in advance or such notice has been waived by all commissioners, and the proposed amendment has been placed on the agenda.

*Approved and adopted by the commission on...*